

Article - Real Property

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§8–909. IN EFFECT

- (a) There is an Access to Counsel in Evictions Special Fund.
- (b) The purpose of the Fund is to provide funding to fully implement access to legal representation in evictions and other related proceedings in the State.
- (c) MLSC shall administer the Fund.
- (d)
 - (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.
 - (2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.
- (e) The Fund consists of:
 - (1) Money received by the Division of Consumer Protection in the Office of the Attorney General from any final settlement or agreement with or judgment against a party relating to an investigation or enforcement of the Maryland Consumer Protection Act for an unfair, abusive, or deceptive trade practice for rental residential property, excluding any restitution and the costs of the action the Attorney General is entitled to recover;
 - (2) Money appropriated in the State budget to the Fund;
 - (3) Money distributed to the Fund under § 17–317 of the Commercial Law Article;
 - (4) Interest earnings of the Fund; and
 - (5) Any other money from any other source accepted for the benefit of the Fund.
- (f) The Fund may be used only for:
 - (1) Services provided by a designated organization or activity by a community group to implement the Program as provided in this subtitle, including all costs associated with required legal representation in any proceeding and any outreach and education activities;

(2) If a local jurisdiction enacts a program authorized under this subtitle, services provided by the local jurisdiction to implement access to counsel in eviction proceedings as provided for in this subtitle, including all costs associated with required legal representation in any proceeding and any outreach and education activities;

(3) Administrative expenses of MLSC; and

(4) Expenses related to the study and evaluation of:

(i) Services and activities provided under this subtitle; and

(ii) Funding amounts and sources necessary to fully effectuate access to counsel in eviction proceedings.

(g) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(h) (1) Expenditures from the Fund may be made only in accordance with the State budget.

(2) For fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of \$14,000,000 from the Fund to MLSC.

(i) Money expended from the Fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for civil legal services from any other source.

§8–909. // EFFECTIVE DECEMBER 31, 2024 PER CHAPTER 40 OF 2022 //

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